

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(New Draft of H.P. 152, L.D. 193)
(New Title)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document NO. 948

H.P. 706 House of Representatives, March 25, 1987
Reported by Representative PRIEST from the Committee on
Legal Affairs and printed under Joint Rule 2.
EDWIN H. PERT, Clerk
Original Bill sponsored by Representative McSWEENEY of Old
Orchard Beach.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1
2
3
4
5
6
7
8
9
10
11
12

AN ACT Relating to Drinking on Public
Beaches.

Be it enacted by the People of the State of Maine as
follows:

17 MRSA §2003-A, sub-§1, ¶D, as enacted by PL
1981, c. 418, §2, is amended to read:

D. "Public place" means:

(1) A place owned or operated by a govern-
mental entity to which the public at large
or a substantial group has access, including
but not limited to:

1 (a) Public ways as defined in Title
2 17-A, section 505;

3 (b) Schools, government-owned custodi-
4 al facilities; and

5 (c) The lobbies, hallways, lavatories,
6 toilets and basement portions of apart-
7 ment houses, hotels, public buildings
8 and transportation terminals; and

9 (d) Public beaches; and

10 (2) Private ways and parking areas, physi-
11 cally adjacent to public ways and designed
12 primarily for vehicular traffic.

13 STATEMENT OF FACT

14 This new draft clarifies that public beaches are
15 to be included in the definition of "public place" in
16 the context of the public drinking law. The title is
17 changed to accurately reflect the purpose of the new
18 draft.

19 This new draft ensures that all people know that
20 it is a crime to drink liquor on a public beach after
21 forbidden to do so by a law enforcement officer or in
22 a municipality on a beach within 150 feet of a notice
23 prohibiting such drinking. The law provides that
24 possession of an open container of liquor in a public
25 place, including on a public beach under this law, is
26 prima facie evidence of violating the law.

27 2230031387